

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:)	
)	
RALPH T. BAKER)	Anticipated Art Unit:
)	3634
Serial Number: Not yet assigned)	
)	
Filed: Not yet assigned)	
)	
For: IMPROVED FIRE ESCAPE)	EXPRESS MAIL
)	

LETTER OF TRANSMITTAL
OF CONTINUATION APPLICATION
and PRELIMINARY AMENDMENT

Honorable Commissioner for Patents
P. O. Box 1450
Arlington, VA 22313-1450

Sir:

This Preliminary Amendment is being filed simultaneously with the filing of the captioned "continuation" application. All claims 1-32 in the parent of this application, USSN 10/163,716, were rejected in an Office Action issued July 29, 2003, and those rejections were made final. Applicant elects to prosecute this case further by the filing of this continuing application. A petition for a one (1) month extension of time for filing a response to the final rejections, in order to effect this filing, plus the requisite petition fee, are also filed simultaneously herewith.

The amendments to the claims contained herein were previously submitted in the parent application, and were entered without objection. They are included herein for ready reference and for completeness.

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In the Final Rejection of the claims of the parent, dated July 29, 2003, specifically ¶1 thereof titled "Specification", the cited phraseology to which objection is raised appears nowhere at the page and line cited. Clarification is requested.

Responses to the §§ 102 and 103 final rejections set forth in the outstanding Office Action in the parent case are presented hereinbelow. Similar responses were previously submitted in response to the claim rejections issued in the first Office Action dated March 3, 2003, in the parent case. As a first order of business in this case, an interview with the examiner will be sought by the applicant. A telephone call from the examiner to arrange such interview and prior to issuance of a first action in this case would be appreciated.

An affidavit of the undersigned appears hereinbelow certifying that the enclosed is a true copy of the prior application as filed.

Upon assignment of a filing date and serial number to the enclosed application, please transfer the copies of all prior art references from the parent case to this case. As presently advised, those references are listed on the enclosed Statement (IDS)/PTO-1449.

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The final rejections of the claims of the parent were essentially a *verbatim* reiteration of the rejections set forth in the first Office Action. Applicant's responses to those initial rejections, filed June 3, 2003, were largely ignored.

For the reasons set forth below, and earlier in applicant's Amendment filed in the parent case dated June 3, 2003, under both the facts of this case and the law, all of applicant's claims 1-32, as amended, are allowable.